or more effectual check upon dismonest claims, then the cer-gray that such claims must undergo a thorough examination by competers and in a company. As the duties of such an off-demand the best claims a noiny, it seems proper that they ind be averaged to the first bookkeeper of the Pinance Depart, and an office, must usely, from the charges manner bepart.

endeances at improper can be also as a colinarion where it justly approaching of attempts at faund or colinarion where it justly approaching of attempts the practical working of stach an andriting bureau as I color. To show the practical working of stach an andriting bureau as I colored a plan for, under the conviction that it must be are the property of the stars of the Finance Department, I conducting disconting to a class of accounts which accounts of the state of the first of the state of the first of the first of the state of the first of the connected applications to and anchor for transcript refer to those connected applications to and acclude of the state of the st

which it is immided.

The copies from the original contract, duly certified, should entitled for the one of the Controller, Surveyer and Board sensors. The Surveyer's return should be farmished to the Commissioner, and in duplicate to the Controller and of Assessors. The Surveyer should be required to certified.

and one distribution of an assessment list, a certified copy parties confirmation of an assessment list, a certified copy partie confirmation of an assessment list, a certified copy on the formation of the formation of the confirmation of the con

On its found sudifying, the Collector's account with each im-sensent should belance. The balance of the assessment configuration of the configuration of a second compared with the such and the balance of that account compared with the size of the account bounds account would always show to at extent outstanding assessment bounds were in excess of mideted assessments, if, at any time, such should be the

Nevy decrypage of Arrents, would be curtainly de-cisin and return to Borean of Arrents, would be curtainly de-cisin the final auditor referred to.
This method of auditory and recording should be applied to the courts of every collecting officer, varying the details to meet is peculiar requirements of each, and once includently estab-ied and persisted in, could not fail of the most calutary results, be southing and bookies using of the Finance Department are usely related duries. If the first is neglected, the last is pretty stain to be negligible performed, and the establishment of a schemic effectual cheeks, such as must result from careful and the hardly mure necessary to assist in redeeming us from ces in every department of collected revenue captions, the amount of collected revenue he amounts ancellected, and who are held re-d all accounts for which appropriations have true cost of the city's property, and the

of the city's inneltedness, whether in flusting or bonded feh an exhibit, in short, as every prodent merchant from his bookseeper, and such as every citizen has a spect from the chief officer of the Finance Department to all New York.

The revelations which have been made, and which

as behad by the anciding accountant of the Finance Depart-ent, she should also be permitted, under the Comptroller's sales, is prescribe such books and forms of accounts as would separate court and accurate accounting and thorough audi-a. If the public moneys were withheld from the Treasury, out his plan of collecting there would be little difficulty in lating the understance and the little difficulty in set his plan of collecting, there would be little difficulty in staing the embezzlement upon the guilty party. Goeks could be established in cancelling liens that would set the withholding of moneyen very hazardous and difficult side, especially if the modifing accountant of the Finance pathent performed his duty in frequent and critical examina-

he receipts of memory, the discharges of liens, and the book less of toose transactions, three distinct duties, should be

instreety's of money, the discharges of home, and the book wires of toese transactions, three distinct duties, should be samely one as many oteries, at separate deeks, and the receipt two on the discharge of every homehoush been open its face wideless that the payment had been made that it had been subject of record, and that the proper credit had been given as a same book of the hookkeper.

Set a state of status as now exists could not possibly occur out this regulation. This transfer of all the collections to one ham is also recommended in view of its greater economy. The expense of collections by one collector, with ampleous aid, allowing laberally for the compensation of compensation, and the saving as compared with present spaces, and the saving as compared with present spaces, and the saving as compared with present spaces, and be fairly estimated at seventy-five thousand are per annum, and the saving as compared with present spaces, may be fairly estimated at seventy-five thousand are per annum process, may be fairly estimated in seventy-five thousand are per annum, and the saving as compared with present to be a saving as compared with present process, may be fairly estimated in seventy-five thousand are per annum process.

case, may be fairly estimated at seventy-five thousand case per annumbrate per an

say and energy treatly note the end.

sail be happy, at all times to acquaint my fellow-citizens
the pregness I have been able to make, as well as to admit
stalls to any who may beel an interest in the plan of presage. Very respectfully. HOMER FRANKLIN.

REDLEY, JUNS B. HALL, MALTRY G. LAME, SHEFARD
MAYP, and others.

FIRES.

FIRE IN EAST ELEVENTH STREET.
Testerday morning, at 101 o'clock, a fire broke out
the large building No. 127 East Eleventh street, Testerday morning, at 101 o clock, a fire broke out the large building No. 127 East Eleventh street, copied by George Berthoif, an extensive dealer in substiles. When first discovered, the fire was burn-to along some baskets filled with bottles, but owing a quantity of combustible material in the vicinity, it pead rapoily, and all attempts on the part of Mr. bethold and his employees to extinguish the flames fraced may alloy, and had barely time to save their othing. The firemen labored hard to save the building. The firemen labored hard to save the building, but her services proved of little avail; the establishment with its contents was entirely destroyed. Mr. Bertholf estimates his loss on stock at \$11,000. Its learned for \$1.800 or \$2,000, but in what combines he could not tell. The building was valued at \$80, and was owned by Mr. Henry Abell. The feut and rear tenement houses autoiming, owned by Mr. Kensbaum, were damaged by fire to the amount of \$100, insteed.

FIRES AT CLIFTON, STATEN ISLAND. At 9 o'clock on Sunday evening the blacksmith shop I. Quinn was discovered to be on fire, which was strevel. About 12 o clock ame night the two-story me buildings known as "Silwells," were also detayed. The house of Widow Carsen was also set on its, but was extinguished. It is supposed these acts of accadiarism are connected with the Quarantine Statements, as the buildings destroyed were or hid be said by parties who also dof yellow fever. One was been arrested and sent to Bickmond Jail.

been arrested and sent to Richards out.

First at Barrian.

On Yeday morning, at 121 o clock, a two-story fame building on One-danal advantaged west yesecond that between the Seventh and Eighth avenues of the second to be of five and, before the fiveness of the tank could get well to work, the structure was the data.

The owner's name this not transfer that the structure was the could get well to work, the structure was the could get well to work a tame this not transfer to the country of the country to the country of the cou

MATRON AT SING SING .- Inspector Russell has ap-Mrs. Devent, matron of the female depart-tioning Sing-Sare prison. So is applice of as a yadanrably qualified for the place.

of Decanus Oakes, corner of Third avenue and Seventy-eighth street, between 40 and 50 Italians there congregated to enjoy themselves, and a large number of Irishmen. From the facts as they at present appear, it seems that a company of Irishmen were attracted to the lager beer resort in question by hearing at a distance the music which was there discoursed. On arriving at the spot, it is alleged that Michael Rourke, one of the number, entered the garden and commenced dancing to the music. This gave no offense to the Italians, and the musicians played for Rourke's benefit, Yankee Doodle, Hall Columbia and other national airs. Rourke continued to dance, and in doing so it is alleged that he maliciously ran against one of the Italian women and pushed her over. At this the Italians became very indignant, and several of them rose from their scats for the purpose of ejecting the obnoxious individual. Rourke was hustled into the street with much force, when his companions outside rushed into the garden and commenced an assault upon the Italians.

A frightful collision was the immediate consequence, and in a moment every man of the contending factions was engaged in the fight. Knives, pistols and other deadly weapons were freely used, and apparently every man seemed determined to take the life of his opponents. In a few moments after the commencement of the fight one Michael Culligan received a frightful stab on the in-ide of the thigh, the wenpon severing a main artery, and he bied to death in a few minutes, before medical aid could reach him. Ed-ward Burns was stabbed in the back; Michael Rourke received a stab in the back, and Patrick Tracy was awfully cut in the groin. The three last named it is feared will die from the wounds they have received; and owing to the large number engaged in the riot, and the great excitement which prevailed at the time, it is almost impossible to ascertain who the parties are that used the deadly weapons. During the riot a large number of pistol shots were fired by the Italians, but it does not appear that any one was dangerously wounded from firearms. Almost immediately after the trouble commenced, Officer Merrill of the Nineteenth Precinct was on hand and arrested one of the rioters, who was rescued from him by the Italians. With all possible haste word was sent to the Station-House, when Sergeants Van Brunt and Decker went to the riot with a large force of men, and succeeded in arresting 16 Italians, 1 American and 2 Germans, who were taken to the Station-House and locked up to await investigation by Coronor Gamble. Mr. Joseph Yeomans found a double-harrelled pistol which had been thrown away by one of the rioters in his flight.

ANOTHER ACCOUNT OF THE OCCURRENCE.

About 10 o'clock on Sunday night last, a serious riot occurred between a party of Irishmen and Italians, at a lager beer saloon, corner of Third avenue and Seventy-eighth street, kept by two Germans, named Dyonysius Oakes and Joseph Gister, which resulted in one of the rioters, Michael Callighan, an Irishman, being killed, and three others, Michael Rourke, Patrick Tracy and --- Burns being so severely wounded that but slight hopes are entertained of their recovery. According to the best information that could be gathered in relation to the affray, it appears that there had been a number of foreigners, men and women, principally consisting of Italians, with a small sprinkling of natives of the Emerald Isle, had been drinking and dancing during the earlier part of the evening About 11 o'clock, Rourke asked for an Irish jig, which was played for him. Several other tunes were subsequently played at his request. While importuning the musicians for "Hail Columbia," Rourke either accidently or intentionally staggered against a woman. The occurrence being considered by the Italians au intentional insult, some one of the party fell upon Rourke and knocked him down and stabbed him in the head, and a general melee commenced between the Irish and Italians, in which knives, bludgeons and pistols were freely used. Michael Callighan was stabbed in the thigh about half way between the knee and the hip-joint, from the effects of which wound he died soon afterward. His remains were removed to the Nineteenth Ward Station-House, where an inquest is being held upon them by Coroner Gamble. Patrick Tracy was also stabbed in the thigh, and the wound will, in all probability, prove fatal. He was taken to Bellevue Hospital for treatment. Another Irishman, by the name of Burns, was se-

riously if not fatally stabbed in the back. He was immediately removed by his friends to a house in Battle Row, in Third avenue, between Eightieth and Eighty-first streets. Information of the riot having been given to the police, a posse of officers under the command of Sergeant Merrill repaired to the sp arrested the man alleged to have stabbed Rourke, but his friends rallied and succeeded in effecting his rescue, and placing the police in close quarters. Sergeant Merrill, however, made his escape and hastened to the Station-House for reconforcements, when Sergeants Decker and Van Brunt, with a platoon of men, burried to the scene of riot and bloodshed, and arrested fourteen Italians and two Germans, and conducted them to the Station-House. While Sergeant Decker was pursuing one of the Italians, by the name of Belli, the latter turned round upon his pursuer and attempted to shoot him with a double-barreled pistol, and was only prevented from accomplishing his purpose by an expert movement on the part of the officer. Subsequently three more of the gang, who had made good their retreat to a place in Jones's Wood, were arrested and locked up in the Station-House,

For some time past, the Police have been suspicious that the lager-beer salcon at which the fracas occurred was the resort of burglars and thieves, and an inspection of the interior on Sunday night, while searching for parties engaged in the riot, confirmed the Police in their suspicions. The house was accordingly left in charge of a pose of policemen for the balance of the night, and yesterday morning a thorough examination of the premises was made, and resulted in the discovery of the proceeds of at least three recent burglaries in the upper part of the city, consisting of silver and plated ware, blankets, toweling, table covers, and ther property; also an extensive variety of skeleton keys, Jimmys, nippers, saws, wax, and other implements used by burglars. In the course of yesterday, a portion of the property found in the house was iden tified as having been stolen from the house of Ald. McSpedon while that gentleman was attending the Convention at Syracuse. Another portion of the property was identified by Mr. Thomas Rutter, corner of Avenue A and Eighty-third street, as having been stolen from his premises a short time ago. Under these circumstances, the women found in the house were also taken into custody, to await an examination before the magistrate. In the mean time, the house will remain in charge of the Police.

The names of the individuals arrested are as follows: Are manus of the modyldinus arrested are as follows:
Martinide Gurano, calibertansker; Bornam Mouthers; Bornam
ick Tomaso, laborer Joseph Bettl, carpenter; Fraboul Avelaborer, Andrew Bolmi, laborer; Stephen Golfant, laborer,
Loseph Gester, selsonskeeper; Lerrey Jacon, laborer; James Balling, laborer; Parisari Bagnari, laborer; Germano Francisco,
tarkeeper; James Why, laborer George Bartett, alias King,
blockkeeper; a well known time! George State et alias King,
lokekkeeper, a well known time! George State, carpenders B.
Cakes, saloinkeeper; Stephen Belli, gandemer; Petur Belli,
modemer; Girardo Belli, opens storer Augustus Cardena (with
modemer; Girardo Belli, opens storer Augustus Cardena (with
most

Coroner Gamble impanneled a Jury yesterday, and proceeded to hold an inquest at the Niceteenth Ward-Station-House upon the body of Michael Callighan: but little progress, however, was made before the investigation. The following testimony was chaited:

Join N. Merrill, sworn—I am an officer attached to No beath Word Pelier along 10 of the Smally night I complete the control of the Smally night I regulated of the Cosmopolitin Gardens, in Seventy the street, Thereof the peptat of a pubel, humans of the the t. I bear the repect of a pater jumping of the continguity, and was reld that a man had been a carden a I went into the garden and save a num carded people; they were some of them sighing Micrael Rowcke Dars on the flow; he was in the head; I had him removed to the Pro-

RIOT IN THE NINETEENTH WAQD.

ONE MAN KILLED

AND THREE OTHERS SUPPOSED TO BE FATALLY
INJURED—NINETEEN ARRESTS.

On Sanday night about 10 o'clock a fearful and bloody riot occurred at the Italian lager beer garden of Decamus Oakes, corner of Third ayenge and Sevenof Decamus Oakes, corner of Third ayenge and Seven-

orge L. Green, sworz-I reside in Eightieth George L. Green, sworz—I reside in Eightieth street near Second weams: I stopyed at the Cosmopolitan Gardens Sunday might in company with his difficulty affects of the street a few minutes. I missed my friend and bearing that there was a difficulty outside. I went not and found my friend cleached with Hourke: the crowd was trying to stop the fight, no weapons were used in this fight; seen afterward. I saw a number of Italians fring pistols and drawing knives. I left as soon as I could when I reached Seventy-might street a bey told me a man we stying wounded or the corner of Seventy-eighth street; I went their and saw the deceased, he was aimmet pulseless, and best flowed freely from a wound in his thigh; I assisted in removing him; I cannot recognize positively any of the prisoners as persons who were present in the failt the Italians in the lower reversel a man.

them some policimen had arrested, and they invested assisting to resist the police.

George Noullet, sworn.—I reside in Eightieth street etween Third and Fourth avenues. I am a barke-per for Mr behas I was sugged all day Sunday at the Cosmopolitan Gare in I was on my way from the bar-room to the parten about of clock in the evening, when an Italian named Gratom come

hand in the row; John King was not in the room, he boards at our bones, with his wisern—I reside in Third avenue, between Eightieth and Eighty-first streets; I heard of the fight at the Co-mopolitan Gardens, and went there and saw two new flighting; I did not know the men. I saw Martingo Gatane, new present, rash through the crowd with a lanfe in his hand; I heard a pistol first, and was told that some person was wounded; I stood swith in Third avenue, when a rush was endeally made from the garden into the scenne; I can away in company with everal other persons a we rain the Italians fixed upon us; I went to Eighty-second street, and did not return again to the fight.

Daniel Fitzgerald, sworn-I reside in Seventy-sev en'h street, near Third avenue; I was going to bed about I o'clock on Sunday night, when I heard several shots fired; got up and hurried ont to see wint the difficulty was as I we passing through the Countepolitan Gardens I stombled over Rowshe, who lay wounded; I picked him up, and, with som assimance, conveyed him to Rowshe's house; while I stood it side the gate several persons pointed guns at me and threatene to shoot me; the every some Rallians; one of them was about

unber: none of the prisoners were among the number.

The investigation was adjourned to 9 o'clock this morning.

CITY ITEMS.

LAURA KEENE'S .- "London Assurance" was given here last night, with indifferent success. Mr. J. S. Browne, of old renown, did Sir Harcourt moderately well; Mr. Sothern was as augular and harsh as usual in Charles Courtley; Walcot's Dazzle was like everybody's Dazzle, his own, and fairly done, but not remarkable in any way; Blake as Meddle was the life of the piece; Burnett's Max was good; Laura's Lady Gay and Miss Steven's Grace did not exceed the very limited expectation of the public; and for the other characters, they call for no remark. The house was good, and the audience appeared determined to be

Courrier des Etats Unis contains an elaborate announcement of a new Parisian artist, who is about to appear in this city, upon an instrument new to the concert-room at least, if not to the majority of the pub-The instrument is the Alexandre organ, and the artist is Miss Emma Wellis. The Courrier cites in favor of Miss Wellis the commendations of Hector Berlioz and M. Fiorentino, both critical authorities of the highest value.

TAMMANY SOCIETY .- A meeting of the Tammany Society was held in the Wigwam last evening; but, beyond taking some further action in the matter of creeting a monument to the memory of the late Lorenzo B. Shepherd, nothing whatever of interest transpired.

Base Batt.-The Jefferson and Manhattan Clubs played a match on the Manhattan grounds, Hamilton square, yesterday. Five innings—Jefferson, total runs, 26; Manhattan, total runs, 16. The return match will be played next week on the Jefferson grounds, Ho-

The Christian Denomination hold a quadrential to-day. general convention in this city, at the lecture-room of the Mercantile Library Association, Astor Place, on Wednesday next, at 10 o'clock a. m. The Rev. Jas. Maple of Ohio is to deliver an address before meeting in the evening, at 71 o'clock, and the Hon Mann will lecture on Friday evening, on "The Relation of Colleges to the People.

NEW-YORK HISTORICAL SOCIETY .-- A stated meeting of the New-York Historical Society will be held at the Library, Second avenue, corner of Eleventh street, on Tuesday, at 71 o'clock p. m. John McDonald of Flushing will road a paper on " The British Expedition to Danbury in 1777.

Nor Deciden.-The Postmaster-General has not decided upon a location for a Post-Office in this city.

The Firemen's Journal, a paper devoted to the interests of firemen, is before us. It is a good looking sheet, and seems to be judiciously filled. Messrs. Forbes, June & Young are the publishers.

Enlargement for Church accommodation seems to be the order of the day. The Rev. H. W. Beecher's people are planning a larger house; and now the Market Street Reformed Dutch Congregation of this City have secured the great Hall of the Cooper Institute for the Sunday evening services of their pastor, Rev. T. L. Cuyler. That superb hall, holding 2,560 people, will be thrown open free every Sunday evening, to citizens and to strangers at the hotels. This movement looks to the establishment of a new church up town on the principle of a large house and low pew-

WO TO THE UNLICENSED DEALERS,-A new distribution of the Police has been lately decided on, which will probably result in cloing many of the shops of unlicensed pawnbrokers, junk-dealers, old stuff buyers, &c., or compelling the proprietors thereof to pay their proper revenue to the city by taking out licenses. The city has been divided into six districts, two below Canal street, two between Canal and Fourteenth streets, and two above Fourteenth street. In each one of these divisions has been placed one of the most active and efficient officers of the Mayor's squad, whose sole duty it is to keep watch of the pawnbrokers, junk-dealers, &c., see that they take out their licenses, and that they only deal in lawful mer-chandise. Many of these places have become notorious as depositeries of stelen goods, and the officers will find plenty to do. No boys are permitted to engage in either of the varieties of business specified above. Many of these dealers have realized immenso profits by receiving and disposing of stolen goods, and the new regulation is therefore an excellent one in more respects than one.

THE LOWBER SALE POSTPONED .- Lowber's sale of the City Hall furniture, paintings and fixtures, to have come off yesterday to satisfy the judgment for the payment of the mud-hole property, was postponed by the Sheriff till Friday. Lowber was very anxious for a compromise. The Controller stands firm in the

The Health Commissioners, at their meeting yesterday, dispoyed of the usual amount of routine baseness, In the co e of the steamer De Anna, belonging to the Government, the Beard was requested to make an invertigation. She was sent to Quarantine from the particular to the parti

Brooklyn, owing to a case of vellow fever having broken out on board of her. The vessel had been in and about the bay since April last, attending on men employed on the public works, and it was thought strange that she should have a case of fever on board. The person who was sick was the ship-keeper, and it was supposed he had contracted the disease by cler-

destinely visiting infected vessels.

The steamer Star of the South and some other yessels were allowed to come up to the city. The Cahawba's passengers, eighteen in number, from New-Orleans and Havana, on Sunday night were, allowed a permit to come up, after ventilating their baggage; but the vessel was detained for the present.

NEW-YORK TYPOGRAPHICAL SOCIETY.-The semiannual meeting of this Society was held on Saturday evening, when the following officurs were chosen for the ersning term : President, John L. Campion; Vica-President, T. T. Satliffe; Treasures, James Narine; Secretary, T. C. Faulkner; Trustees, George Mather and R. H. Johnston; Librarian, John Craw. A resobution, proposing to celebrate the anniversary of Frank-

THE ASSELLAN RAIL COARS.

COURT OF COMMON PLEAS-SPECIAL TRAM.—Oct. 4—
Before Judge Bracks.

A Gambline Hell of Broadway Broken Up.—
Yesterday morning, Mr. Benjamin F. Hibber, a cattle
drover residing in Paris, Irving County, Ky., appeared.

This morning Judge Brady delivered an elaborate drover, residing in Paris, Irving County, Ky., appeared before Justice Connelly at the Lower Police Court, and made an affidavit in which he set forth that on the
28th ultimo, he was leduced by some "repers in" to
enter the gambling house, No. 551 Broadway. He
exist the defendants, and denying the
motion for a perpension injunction. This leaves the
Common Conneil free traction to resolution to the continuous restabilities the new of steam was invited to partalle of some refreshment, and soon after persua led to take a hand at "Faro." He played for six hours, during which time he lost \$230 in cash, and a negotiable check for \$200. He alleged that two and a negotiable check for \$600. He alleged that two men, named John F. Housewright and John Hackett, the New York and Harlem Schroed Company or my other were engaged in swindling him, the latter being the person who dealt the cards. Both are said to be the preprietors of the establishment. Mr. Hibler further

On the complaint of Mr. Around and of Officer issued his warrant and placed it in the anals of Officer severally be considered and decided association is legislative in afterward Housewright and Hackett were apprehended and at once conveyed before Justice Connolly at the Tombs. Both of the prisoners demanded an examina-tion forthwith, but the Magistrate, having other business on hand, objected, and set the 20th instant for a | wi hearing. Hackett put on considerable " sirs," and objected to the 20th instant, as he said that he designed being in Canada at that time in order to witness the fight between Morrissey and Heenan.

Justice Connolly finally decided to hold the alleged gamblers to ball in the sum of \$1,000 each to await an examination, and the prisoners left Court in custody of Officer Webb, to hunt up a surety. Mr. Hibler says that on various occasions while visiting the city he has been robbed in the most audacious manner by gamblers, and he expresses himself as determined to prosecute them to the utmost limit of the law.

THE DOORMAN OF THE EIGHTH PRECINCT STATION House Charged with Ill-treating a Woman .-Yesterday morning a woman named Ellizabeth McClockey appeared before Justice Welsh at the City Hall Police Court and made an affidavit of complaint in which she alleges that on Saturday last, in company with her sister Mary Shelby, she went to carry some articles to a relative on Broadway. On the way she was seized with a convulsion and became unconscious. An officer, coming along, conveyed her to the Eighth Precinct Station-House, where she was locked up in a cell without receiving any attention. Some time after midnight, while lying down upon the wooden bench, a man entered the ceil, and, as she alleges, attempted to take indecent liberties with her, She screamed aloud and protested against his designs, when the man seized her and threw her upon the bench and again endeavored to violate her person. She still resisted his efforts, when he took her to the hydrant and held her head under the water, telling her that he would drown her if she did not let him have his way. He told her that she was a woman of the town, and made her living in that way. He abusad her in this way some time, and then left her, but returned soon after and took her before the officer on duty, to whom she told her story, but was laughed at. One Charles Ward, a prisoner in the Station-House that night, testified that he heard the man bent the woman and use abusive language toward her. Officer Tyler, who conveyed Mrs. McCloskey to the Station-House, testified that she had been ill-treated while in the Station. Justice Welsh issued his warrant for the arrest of the doorman, and an investigation will probably be had

A ROW IN HOWARD STREET-OFFICERS BEATEN, &c.-Between 11 and 12 o'clock on Saturday night, an athletic man named Whiffles beat a woman in Howard street. Officer Swift came up and asked her who had committed the violence, and while he was conversing with her Whiffles attacked him, beating his eyes and head, injuring him considerably. Other officers went to the rescue, arrested Whiffles and took him to the Fourteenth Ward Station-house. At the Station-house an outsider made some disturbance, and at the sergeant's order officer O'Rourke was putting him out doors, when Phil Wolfe, keeper of a conspicuous had place in Howard street, took a policeman's club and attacked the officer, beating him in a very violent manner. Phil was arrested, but was not put into a cell with the vulgar herd. He was, we believe, allowed to occupy the best apartments of the establishment, and efforts were made to compromise with the beaten officer, which he refused to do. No complaint has yet been made at the Police Courts.

SUDDEN DEATH IN THE ALMS-HOUSE WAGON .-Yesterday morning, about 111 o'clock, word was sent the Coroner's Office that a man was supposed to be dying in the Alms-House wagon. Dr. Weltje was ent for, who, on arriving, pronounced the man dead. The body was removed to the dead-house, and an inquest held, which went to show that deceased died from Phthisis. He had just received an order from the Dispensary for admission to the Alms-House. His name was Robert Park. He was a native of Ireland, aged

PREMATURE EXPLOSION—A MAN KILLED.—During a salute which was being fired on board one of the Gal way steamers, while steaming down the bay on the 19th ult., William Hoey, one of the hands was frightfully injured owing to the premature discharge of the cannon while in the gap of loading the mature discharge of the cannon while in the new of leading the piece. His are anothright shoulder blade were fractured, besides which Hoey received nights of a dangerous character. He was conveyed to the New York Hospital, where he lingered till yesterilay morning, when death enused.

Corners Hills held an imposes on the body, and the Jury rendered a verdict of accidental death. Hoey was a ganginalise.

DEATH FROM BURNS .- Coroner Perry held an inas No. 142 Charles street, on the body of Mary Ann Gisco, died from horns received on the night of the sin and. It applies the was in her sleeping room with a lighted candle, I was brought in content with next dress, and in a few mesher clothes were all on fire. She acreamed for help but it arrived, Mrs. Cisco was terribly burned. She lighted maday last, and died. The Jury tendered a vertical of the from burns accidentally received. Mrs. Cisco was 65 of 500 miles are all on a various of No. Level. h from borns accidentally received of age, and a native of New-Jersey.

A DEFERMINED SCICIDE.—An inquest was hold at the New York Haspita, by Coroner Hills, on the bedy of William Stoy, whose death from the effects of poison was reported in yesterday's Taxwey. Soon after his admission to the filter pital the unfortunate rons stated to the attending plays has that he had kept an ounce of argentic in his pocket for a year past, with the intension of Alling himself but positioned taxing the used drught till the afternoon of the Sethol, when finding himself out of work, and money tip, he washined the poison, and bedding a final adjounts by fireds was conveyed to the Hesystal. The duty reinferred a vessit of death by which by Aking Elsenie. Stoy was 25 years of age and a native of Prussig.

Farit Fatt.—John Welsh, a carman, yeste rday, while driving through Caral street of a rapid rate, felt, of his cart to the pavement, and was so severy impred Fant death racts channel at the New York Haspinal, whither he was speedly saked. The deceased rashed at No. 106 West Bros. Juny, where he has left a family.

ARRESTED .- Last evening the crew of Harbor Po lice Beat No. 5 James Alexar by conserven, arrives named John McDourid on board of the range Conserve Ving off the Estrey, for stabling the first material would salven, and taken before Jodg. Nelson, wine coin to the Tombs.

THE METALLIC TABLE? STROP—Invented by no Stranges A. B. 1918. This, the arrange ariely, has ver been equaled for producing the kinned could enge to a not. Cords advanced of involvemental side may be under a J. A. S. SANKERS NO. 3 Asser House.

(Advertisement)

SCHNAPPS AT LOW PRICES.

WOLFF'S SCHIEDLY ARCMATIC SCHAPPS.

Hetelkeepers, Bar-Rooms and Private Families can now expire themselves with Wolfe's General Schiebles Acceptable to hers a few size in land the common Redund of in soid at in this metric, as universely the subscriber has now or hard several discussed bottling. The subscriber has now or hard several discussed by the relation inst Fall, when he had the selection of the whole grain several of Schedum.

reason and Fas, who can be supersoned by the Forevan of the Changes new or hand is represented by the Forevan of the Changes over manufactured by ms.

FORESON WOLFE, No. 22 Beaver at.

GAN-GAN-GAN FIXTURES.-A large assort ment of Neutriniand entirely new desires will be found at on great Manufacturing Depot, No. 373 Propings. The trade sup-plied at the usual terms. Anciers, Warner & Co.

LAW INTELLIGENCE.

THE BURLEM RAILFOAD CASE.

opinion, dissolving the preliminary injunction hereto-fore granted against the defendants, and denying the scind the ordinance probabiling the are of steam or Fourth averne, below Forty-second street. The

following is the opinion:
Baxby, J.-This action was brought for the purcompany or person, to for steamweather on the or on the track of the New York and Hatlem Rai below or south of Forty second a way, or from rekept as a gambling house.

On the complaint of Mr. Hibler, the Magistrate

kept as a gambling house.

as conditions are presented by this application, which must its clarizater; and, Secondly, Whether the use of steam by the New York and Harlem Railroad Company, in the manner complained of, is

Secondly. Whether the use of atoms by the New 1978 and Harlem Endread Company, in the measurer complained of, is such existed by law.

A number of propositions were prepared and argued on this motion incidentally bearing on those questions, which, in the consideration of them would be valuable if the authorities to which reference will be made were not conclusive.

In reference will be made were not conclusive.

In reference will be made were not conclusive.

Railread Company, conferred upon the set of the Legislature, passed April 23, 1831, incorporating the New York and Harlem Railread Company power to construct a single or double railroad or way from any point on the Harlem River," between vertain specially described boundaries, and "to transport, take and arry property and persons upon the same, by the power and force of steam, at animals, or of any unclaimed or other power, or of any combination of them any uncolaminal or other power, or of any combination of them which the soul Company way though the prescribed intelligible section of that act, the local doubles of the Common Commit of the Caty of New York.

In addition to this by the 1648 section of the same act, the

addition to this by the light section of the same act, the serion of the City of New York were empowered to regime the rame and manner of using the road, and the speed with carriages should be permitted to move on the same, or ler and by virtue of that act, the Mavor, Aldermen and

Under and by virtue of that act, the Mavor, Aldermen and Commonaity by ordinance approved Dec 22, 1831, granted permission to the said Company to construct and lay down in pursonne of their act of incorporation, a railway now used by them, from Twenty third street to Harlem River.

From this brief statement of the origin of this Company, it will at once be seen that authority emanating from the proper places was given, not only to construct a railread, but to use steam as a motive power, and that the location of som road having been determined in the manner prescribed by the statute, it became be transact, subject only to the power of the Common Commit, to regulate its use as provided by section is of the act before mentioned, and their general power over streets, derived from various charters.

The right to has stream, therefore, as a motive power having thus been conforred open the Company, an ordinance or resolution, determining the point at which it must case, its not a grant or heavier actions and when it limits the measures.

rations, 42, 62 I think it thus appears that the resolution which the plaintiffs I think it thus appears that the resolution which the plaintiffs

yer, A.c., opinion of Judge Ingraham; if the tesolution referred to could be construed as a grant, old be wald, being asthorated by act of the Legislature, vs. The Mayor, I Kernan, 506. The People vs. Storte-

ont, 5 Selden, 224.

In the case of Davis, Justice Denie refers to the Charter of the New York and Harlem Ruifread Company as illustrative of the power of the Monleigh Government to license the location funitoods in streets when authorized thereto by the Legislature, and a majority of the Judges decide that in the absence of

any such authority the grant to Sharp and his cascinates for a rational in Broadway was void.

It is no answer so this view that they have by ordinance horotofore limited the use of steam to Forty-second street, because the power to registre is continuous and discretionary. (New York and Baries Bailrood Company vs. The Mayor, &c. Common Fless, supra opinion of Judge Hitten.

In disposing of this brench of the case, it is proper to say, assuming, as claimed by the plaintiffs, that the New York and Harlein Bailrood Company have not compled with the ordinances of the Common Cosmed, or kept their acrossments in all respects in reference to the use of the Fourth assents as a railroad, that those tasks do not warrain the interposition of Courts upon the application of a third party, however strongly they may address fremsively to the Common Council in reference to the exercise of their regulating slower.

They are matters resting entirely between the Common Council and the Harlein Bailroad Company, of which the forms should doubless task notice, and remedy in the faithful dis-

in Plans prop.

a charge of improvident legislation does not authorize reference of the Courts. There may be some reason of consisty or public benefit which with minimum the Communication of legislative policy, however extraordinary y seem; but I have no power in a case like this to call but may seem; but I have no power in a case like this to call or motives or reasons for legislative acts. There being, then, no power to prevent the repeal of the ordinance of December 27, 1854, the second question presents

all manse of Becember 27, 1894, the show-kork and Harlem self, vizit who use of steam by the New York and Harlem Whitter the use of steam by the New York and Harlem Laftread Company is authorized by law! I have adopted this own of the queeten, became it seems to be established beyond outroversy on principle and authority, that what is authorized by law is not a mitistice. (1st Baptist Ch. Ac., vs. The Utien and Sh. R. R. Co., 6 Barber, 348. See also fall Barber, 78 Brown vs. Shequehamm R. R. Co., 2 Kernan, 491.) It is a legal adjection to call that a jublic missance which is maintained by a public with the control of the public missance which is maintained by a public with the control of the control of

by law is two sections of the form of the form of the surface of t

The mere exercise of the franchine, though it may occasion in-convenience and interfere with the full enjoyment of health and property by producing effects druggeouble to the senses, or oth-crwise affecting the safety of life and person, would not make it aminumes provided, as already suggested, the precise thing is done which is satherized by law.

It is not shown in this case that the New-York and Harlem Radroad Company are exercising the privileges of their charter in an unlike in manner.

an unlawful manner.

The objection goes to the use of steam worth of Forty-second test as a motive power.

afrect as a motive power.

Upon the principles evolved by these cases, and on the facts and circumstances disclosed by the complaint and papers submitted, I should feel at liberty to determine that the use of strain below Forty account at ract by the New York and Harlem Railrond Company was a unisance which should be arrested at other, if there was no act of the Legislature authorizing it; but with such an ext before me, it is equally my duty to say, for the results herein before assigned, that such use of steam is not a mission, and cataryte be restricted.

and account of a compared to the Legislature had no was urged up the argument that the Legislature had no was urged up the argument that the Legislature of a node of the sever correct this may seem to be as a general principle property of the Legislature to solvent the common low of the Amployed in numberless instances; and the right to do the Amployed in numberless instances; and the right to do tions of the State has an assemble that strates in deviation of the come and has made be triedly construed. Hereave Thumpson, and real Barber and 12 Howard Pt. Rep. 14. There he however, a forther aniver to this proposition, and it is, that we am as a fective power is not per so, a brisance, and therefore, a great of the right to use it cannot be said to be the effection of a it may, indeed, with propriety he said, that steam, as a mover power, is one of great practical utility, and its apple atom

or may, make of, werk propriety he said, that scored as a min-position, is one of great practical initity, and its application, most indispersable, in an age where the initial of the whole crin, but perturbany of this country, seems intent upon anti-ality space, by farminating and expediting the tennal of world disperson to dimercit points of destination, but wer it applies, whenever it is possible, should be regulated with regard to the rights of each member of the community. I thus whe high metric derinabled cannot be granted, and that etemporary injunction should be dissolved, and the motion should.

STILL ANOTHER INJUNCTION.

SUPRESECTION OF THE STREET COURT COMMERCE OF THE BOOK STREET AND THE MAYOR RECOGNIZED OF THE MAYOR RECOGNIZED OF THE NEW YORK AND HEADER RAINFOR COMPANY.

On Saturday has, Judge Sutherland granted an injunction similar to that issued by Judge Brady of the Court of Common Pleas. The order to show cause Court of Common Pleas. The order to show cause Court of Common Plens. The order to show cause why it shall not be made perpetual is returnable on the 15th inst, and, with the exception of one allegation, then the application is based on the same comparint

ca that in the Court of Common Pleas. In this alle-cate, in plaintiffs charge "upon information and belief that he members of the present Common Counc." have be in bribed by means of money or promises of the same to vote in favor of the ropeal of the said

The order was served on the Board of Councilmen

NOTICE,—There was after until further order. Part to dee Davis of the Eighth Judgest District, and Part 3d by Judge 8.

by Indiae Clerke, Part 2d by Ja. with of the Third District.

District, and Part 3d by Judge 8.

URITED STATES CIRCUIT COUR.

Justice Nations.

DECISION IN ADMIRALIT ON of Salt.

H. O. Freeman et al. agt. A Cargo over freight and decisoring upon the shipment of a cargo over freight and decisoring upon the shipment of a cargo over freight and decisoring upon the shipment of a cargo over freight and decisoring upon the shipment of a cargo over freight and decisoring upon the shipment of a cargo over freight and decisoring upon the shipment of a cargo over from the Port of New York to Gibraltar, or from York to Gibraltar or from York to Gibraltar or from the part of New York to Gibraltar, or from the part of New York to Gibraltar, or from the part of the cargo and Hawfu goods and merchandine as the salt parties of the record part of their agent may think proper to ship. 42,000 freight was to be paid if Gibraltar only was need, and 42,700 if Malay was used, one-half to be paid upon the discharge of the current cargo and the other half upon the discharge of the current cargo and the other half upon the discharge of the current cargo and the other returned to Gibraltar and part at Malaya. No some cargo call be precurred at Malaya, and the vessel returned to Gibraltar and was loade be with a cargo of self. Malaya not eventually and the charter party, two poid, and the only questions in the case we in respect to the freight at the home part and a claim for decisions in the reason of the cargo dispense of the part of the reason of the cargo dispense of the salt part of

the charter party till the discharge of the cargo at the home port; and no ground for a claim at all for demorrant.

We agree that the master had a lien upon the cargo for the shalance of the freight, and might have retained enough of it to satisfy the payment; but no right of action to recover it accross till the owner had fallilled his part of the contrast, namely, the delivery of the goods. (Abbot 492, and note. Perkins Ed. 2 Story, C. C. R. B.)

Lorenzo N. freguist agt. Geo. B. Morewood et al.

The libel in this case was filled to recover freight, amounting to the sum of \$9,160 %, upon a vargo of coffee and spices shipped from Padang on the Island of Sumatra, and Batavia on the Island of Java, in the Fall of 1850, in the brig Outland.

via on the Island of Java, in the Fall of 1850, in the brig Oothland.

The respondents set up damages sustained by the cargo on the
vovage by way of abatement of the freight in consequence of
bad showage, neglect of proper ventilation of cargo, &c. The
vessel arrived at this post in March, 1851, after a voyage of
ninety-eight days.

The Court below decreed the whole of the freight for the libelant, with interest on the same, holding that the slrip was notclarge able with the damage to the cargo.

Considerable additional evidence has been taken in this Court
since the appeal on behalf of the respondents, tending to prove
realigness on the part of the master and crew in protecting the
cargo in the course of the voyage, and also negligance in the
strong or filling the ship.

Is angreed by all parties that the damage to the coffee and
spices arrow from the dampuses and sweat of the hold of the vassel, and the material question in the case, and the one principally
discussed by the counsel on the argument, is whether or not it de
damage could have been prevented by proper care, diligence and
skill of the master and hands, or was occasioned by their neglect. In the case of Clark et al. vs. Barnwell et al. (12 libra272, 272, 283), the Court held that damage to goods occasioned by
the effect of hamidity and dampuses in the indid, in the absence
of any fault in the ship, or in the navigation of lar, or in the
slowage, was a damage from one of the dampers and accidents of
the bill of batter in the case before us has brond as in the case of
the 12 Howard.

The question, then, is one of fact, and must be determined

the hill of habing in the case before its has broad as in the case of the 12 Heward.

The question, then, is one of fact, and must be determined upon the weight of the evidence. We have examined it with a good deal of care, both that which was taken in the Court below and in this Court, and have arrived at the conclusion that the cargo was well stored and the ship properly filled; that the usual and proper care was taken by the master in the properso of the vayage, at all times when the weather would permit, to ventilate the cargo by opening the hatches; and that the damage was the effect of dampines and sweat in the hold of the vessel, incident to a passage from a warm to a cold climate, and especially of stormy or tempestuous weather in the latter, without the fault of the master in the navigation. Decree affirmed.

Edmond Jungbloth agt, Heman J. Redfield.

weather in the latter, without the failt of the master in the navigation. Decree affirmed.

Edmund Jungbinth agt, Heman J. Redfield.

This is an action by the plaintiff against the Collector, to recover back the additional duty or penalty of 59 per cent, imposed major Section 17 of the act of 1812, upon a case as follows: After the goods were entered, the Collector seized them sor a violation of the revenue laws.

The claimant released the goods from the solute, by giving a bond under Sec. 19 of the act of 1795, which requires that the duties shall be first paid, and a certificate of the Collector of the Portproduced to the Court before whom the bond is entered into. On the appraisal of the goods, with a view to the payment of the duties, the 50 per cent pensity was impresed under an act of 1842, for under valuation, and which, with the duties, was paid under protest.

Subsequently the parties, having become satisfied that the goods were subject to a technical forfeiture for an infraction of the revenue laws, pertitioned the Secretary of the Treasury for a remission of the same, under the first section of the act of 187, which was granted, and the forfeiture remitted agent condition "of the payment of the duties, and any additional duties, on the membandise in question, if they have not already been paid, and of all the costs."

It is insisted on the past of the counsel for the plaintiffs that the power of the Secretary under this act to remit can only be exercised by granting the remission of the forfeiture absolutely, and cannot be conditionally, except as to the costs of prosecution; and hence that the condition of payment of the inlegal duties or penalties is well.

We differ with the learned counsel in the construction to be given to this section. The power, no doubt, is absolute—that is, the Secretary may remit at discretion the whole of the forfeiture—but this power carries with it an anthority to remit any part less than the whole, or upon a condition consistent with a confers the power claimed by the Secretary. The power given is "to mitigate or remit" the forfeiture or any part thereof, and to direct the power claimed by the Secretary. The power given is "to mitigate or remit" the forfeiture or any part thereof, and to direct the power claimed by the Secretary and passed upon by bim, and if the parties were dissatisfied with the decision they should have removed to accept the remission on the terms granted. Instead of this forfeiture.

Judgment for the defendant on the case made.

COURT OF GENERAL SESSIONS—Oct. 4.—Before Recorder Easts the content for the defendant on the case made.

COURT OF GENERAL SESSIONS-OCT. 4.-Before Re-

COURT OF CENERAL SESSIONS—Out. 4.—Before Recorder Bannard.

The October term of this Court commenced to day, Recorder Bannard occupying the bench. There was no Grand Jury impainseled, a goorum not being present. The Recorder will delive an important charge termerrow.

The first case called we that of "Belly Mulligan," who was anteresed last term by Jodge Russell too fine of only \$290 for a sentence last term by Jodge Russell too fine of only \$290 for a ferrolous assembly on Col. Webb—Judge Russell being a personal ferrolous assembly on Col. Webb—Judge Russell being a personal ferrolous assembly on Col. Webb—Judge Russell being a personal ferrolous assembly on Endage Russell being a personal ferrolous descript and ferrolous descript and ferrolous descript and for the application of his counsel, after considerable nestiation, the Recorder named Monday set, of the day of trad. There will be no Jodge Russell on the bench this term, and Mullican will, if convicted, set his descript. Believed as assembly of the foundation of the foundation of the foundation of the second through the property of the Board of Education, charged with a fellowing assembly of the foundation of the record of the State Prison, was convicted of grand larveny and and for a third period of five years to the same institution.

Join Carney was convicted of a fello joins assembly and battery.

es in the State Prison, was convicted of grand largeny and for a third period of five years to the same institution. in Carney was convicted of a fels isome assolt and battery. Recorder will sentence him on Saturday. Judge Russell is a the bench.

COURT CALENDAR—THIS DAY.

SUPREME COURT—CHROLIT—PART L.—NOS. 1153, 1156, 1157, 1159, 1167, 1179, 1177, 1178, 1179, 1189, 1191, 1193, 1166, 1167, 1169, 1269, 1267, 1269, 1261,

SUPERIOR COURT-TRIAL TREE. Nos. 37, 46, 939, 49, 80, 54, 55, 56, 57, 56, 61, 62, 63, 61, 71, 75, 75, 76, 77, 78, 50, 21

BROOKLYN ITEMS.

Augourner.-The Republican Assembly Convention of the Vith District met on Saturday night and adjourned until Thursday night, when the American

Convention meets.

Accident.—Mr. William Hennessey, an aged man, residing in New York, while passing through Second street. E. B., vesterday morning, slipped open a piece of orange less and fell with such force as to fracture his loft arm. He was taken to his residence. Bunglany,—The house of Mrs. Bugbes, in North Righth street, between First and Second streets, Eastern Di-tries, was entered by burgiars on Senday might and subbet of \$20, in good and bills. The thieves escaped with their body.

INSULTING FEMALES, -- Two young "bloods," named